

# Self-Help Nuisance Abatement in Baltimore, Maryland

*SCENARIO: A privately-owned vacant lot in Baltimore City is covered with three-foot weeds and overgrown shrubs and trees, creating a haven for rats. Additionally, trash is strewn throughout the property and a few individuals have started to use the lot as a dumping ground for unwanted tires, sofas, and so on. A group of concerned neighbors is tired of looking at the eyesore and wants to clean it up. Furthermore, they would like to turn the lot into something attractive and productive for the community, to ensure that it does not return to the current situation once it is cleaned up. WHAT CAN THE COMMUNITY DO ABOUT THIS SITUATION?*

## **Steps to utilizing the common law principle of self-help nuisance abatement**

1. Determine if a nuisance exists. A nuisance is condition or situation that interferes with the use or enjoyment of property.
2. Report the conditions to 311.
3. Identify and locate the property owner using public records. See *Community Law Center's Revitalizing Baltimore's Neighborhoods: Legal Tools for Community Associations* for more information on finding property owners.
4. Provide notice of the nuisance by writing a detailed letter to the property owner, including the following information:
  - a. Property address;
  - b. Detailed description of the conditions;
  - c. Dates of observation;
  - d. References to code violations;
  - e. Explanation of what the community wants the property owner to do, with a timeline; and
  - f. Statement that the community will abate the nuisance themselves if the owner does not do so within a certain time frame.
5. Send the letter via certified mail to obtain proof of delivery. If the letter is returned, keep it unopened as proof of attempt to provide notice

**If these steps are followed and the property owner does not abate the nuisance after receiving proper legal notice, the community has the legal right to enter the property and abate the nuisance.**

NOTE: This does NOT give the community permanent legal access to the property. The owner of the property could come back at any time and rightfully demand use of the property. The community may choose to make improvements to the property described in the notice to the property owner, such as creating garden beds or adding a fence or benches, but it should be understood that the owner could remove them at any time without providing notice or compensation.



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